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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/031,157	04/01/2002	Jurgen Scholzig	215214	8199

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EXAMINER

WILLIAMS, KEVIN D

ART UNIT PAPER NUMBER

2854

DATE MAILED: 01/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

10/031,157

Applicant(s)

SCHOLZIG ET AL.

Examiner

Kevin D. Williams

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pw

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-37 is/are pending in the application.
- 4a) Of the above claim(s) 21,23 and 24 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19,20,22 and 25-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 April 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 8. 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of species B in Paper No. 10 is acknowledged. Applicant argues that the prima facie case for species election has not been met by the examiner. Applicant argues that the examiner will not be burdened by a search of both inventions, because the same search applies to both inventions. In response, the examiner notes that the same search does not apply to both inventions. The examiner will be burdened by an examination requiring a search of both inventions. Species A to a printing unit requires only a search of class 101, while species B requires a search of class 118 and 427.

The election requirement is made final.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the spray device, the device for controlling temperature, the cold air temperature device, and the temperature control device must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

3. Claims 25, 26, 29-36 are objected to because of the following informalities:

In claims 25, 26, and 29-36, the limitations "the printing surface" and "said printing surface" lack proper antecedent basis in the claims.

In claim 31, line 3, it seems that "fluoropolymer" should be --fluoropolymer--.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 20 and 25 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The specification does not disclose a blanket cylinder having a varnish repellent surface. The specification teaches a plate cylinder having a varnish repellent surface.

Applicant has elected species B directed to the varnishing device. The specification does not disclose a varnishing unit having a planographic printing plate operable for use in dampening solution-free "offset" printing. The specification

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discloses, as shown in figure 2, a printing plate operable for use in dampening solution free "direct" printing, since the plate 11 printing directly onto the sheet.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 19, 20, 27, 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goodwin (US 4,327,641) in view of DeMoore (US 5,979,322).

Goodwin teaches a printing machine comprising a plurality of printing units for applying a liquid medium to a side of printing material, at least one of said printing units being non-operating so as not to be involved in a printing process during operation of the machine, said at least one non-operating printing unit having a first cylinder being a blanket cylinder and an associated sheet-carrying cylinder, said sheet carrying cylinder having grippers for engaging and transferring a sheet through a nip defined between said first cylinder and said associated sheet-carrying cylinder, and said first cylinder being rotatable at an operating speed of the printing machine with said associated sheet carrying cylinder conveying printing material through said nip with a printed side of said printing material facing said first cylinder, said first cylinder being electrically movable between a printing position and a removed non-printing position, and said first cylinder

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being positionable in relation to the sheet carrying cylinder with a predetermined printing pressure.

Goodwin does not teach the first cylinder having a liquid or varnish repellent surface.

DeMoore teaches a first cylinder for transferring a sheet having a liquid and varnish repellent surface 68.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Goodwin to have the liquid and varnish repellent surface as taught by DeMoore, in order to prevent ink from undesirably marking a sheet being transferring by the printing unit cylinders.

7. Claims 22, 25, 29, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goodwin in view of DeMoore as applied to claims 19, 20, 27, and 28 above and further in view of Makino (US 5,053,311).

Goodwin in view of DeMoore teaches the claimed invention except for said printing surface being defined by a planographic printing plate on said first cylinder being operable for use in dampening solution-free offset printing, and said printing surface being defined by a composition that contains at least one of chromium, aluminum, or anodized aluminum, where an organic or inorganic hybrid polymer is on an aluminum substrate.

Makino teaches a printing surface being defined by a planographic printing plate on a first cylinder being operable for use in dampening solution-free offset printing, and said printing surface being defined by a composition that contains at least one of

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chromium, aluminum, or anodized aluminum (col. 4, lines 6-15), where an organic or inorganic hybrid polymer is on an aluminum substrate (col. 3, lines 52-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to additionally modify Goodwin to have the dampening solution-free printing plate as taught by Makino, in order to eliminate potential damage to the paper from wetting by dampening solution.

8. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goodwin in view of DeMoore as applied to claims 19, 20, 27, and 28 above and further in view of Vines (US 3,762,322).

Goodwin in view of DeMoore teaches the claimed invention except for the printing surface being defined by a relief surfaced printing plate.

Vines teaches a printing surface being defined by a relief surfaced printing plate
20.

It would have been obvious to one of ordinary skill in the art at the time of the invention to additionally modify Goodwin to eliminate the plate and blanket cylinders and replace them with a plate cylinder having a relief surface printing plate as taught by Vines, in order to reduce costs and space by eliminating parts.\

9. Claim 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goodwin in view of DeMoore and Makino as applied to claims 22, 25, 29, and 30 above and further in view of Adams (US 6,289,812).

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Goodwin in view of DeMoore and Makino teach the claimed invention except for the printing surface having discontinuities in the form of cracks, gaps, or pores which are filled with inlays of at least one fluoropolymer.

Adams teaches a printing surface having discontinuities in the form of cracks, gaps, or pores which are filled with inlays of at least one fluoropolymer (col 5, lines 40-66).

It would have been obvious to one of ordinary skill in the art at the time of the invention to additionally modify Goodwin to have the printing surface filled with a fluoropolymer, in order to attain a smooth surface that will repel ink from the other printing cylinders, thus protecting the sheet being transferred.

10. Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goodwin in view of DeMoore as applied to claims 19, 20, 27, and 28 above and further in view of Bressler (US 6,136,375).

Goodwin in view of DeMoore teaches the claimed invention except for the printing surface being polished to a mirror finish.

Bressler teaches a printing surface being polished to a mirror finish (col. 1, lines 60-64).

It would have been obvious to one of ordinary skill in the art at the time of the invention to additionally modify Bressler to have a printing surface being polished to a mirror finish as taught by Bressler, in order to increase the quality of the printed image.

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11. Claims 33 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goodwin in view of DeMoore as applied to claims 19, 20, 27, and 28 above and further in view of Schafer (US 6,676,053).

Goodwin in view of DeMoore teaches the claimed invention except for a metering system and applicator roll for applying a release agent and a spray device extending the axial length of the first cylinder for directing a release agent onto the printing surface.

Schafer teaches a metering system and applicator roll 27 for applying a release agent and a spray device 47 extending the axial length of a first cylinder for directing a release agent onto a printing surface.

It would have been obvious to one of ordinary skill in the art at the time of the invention to additionally modify Schafer to have the metering system for the release agent as taught by Schafer, in order to prevent the printing surface from being marked by ink, thus protecting the sheet being transferred by the printing unit cylinders.

12. Claims 35-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goodwin in view of DeMoore as applied to claims 19, 20, 27, and 28 above and further in view of Lee (US 3,718,115).

Goodwin in view of DeMoore teaches the claimed invention except for a device for controlling the temperature of the printing surface, a cold air control device, and a temperature device being operable from within the first cylinder.

Lee teaches a device for controlling the temperature of a surface, a cold air control device (col. 3, line 60 to col. 4, line 60), and a temperature device being operable from within a first cylinder (col 3, line 60 to col. 4, line 5).

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It would have been obvious to one of ordinary skill in the art at the time of the invention to additionally modify Goodwin to have the temperature device as taught by Lee, in order to prevent the first cylinder from being marked by ink, thus protecting the sheet being transferred by the printing unit cylinders.


Conclusion

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin D. Williams whose telephone number is (703) 305-3036. The examiner can normally be reached on Monday - Friday, 8:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H. Hirshfeld can be reached on (703) 305-6619. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

KDW
January 12, 2004


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